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Applicant:

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Application No.:

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Group:

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For:

MAXIMIZING DATA RATE BY ADJUSTING CODES AND CODE RATES IN

CDMA SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION

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AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on September 8, 2004 in the above-identified application. Reconsideration and further examination are requested.

An extension of time to respond to the Office Action is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Amendment.

Please amend the application as follows: